

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

**ANDREW WOLF
KRAY STRANGE**

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Criminal No. 22-35

FINAL ORDER OF FORFEITURE

WHEREAS, on February 16, 2023, this Court entered a Judgment and Preliminary Order of Forfeiture against Andrew Wolf, forfeiting the property described below in paragraphs 1.a. – 1.d.

WHEREAS, on March 31, 2023, this Court entered a Judgment and Preliminary Order of Forfeiture against Kray Strange, forfeiting the property described below in paragraphs 1.e. and 1.f.

AND WHEREAS, pursuant to 21 U.S.C. § 853(n), notices of the Judgments and Preliminary Orders of Forfeiture were published on an official government internet site for at least 30 consecutive days, commencing on April 1, 2023, and ending on April 30, 2023.

AND WHEREAS, no third party has petitioned the Court for a hearing to adjudicate the validity of any alleged interest in the property named in the Judgments and Preliminary Orders of Forfeiture.

AND WHEREAS, this Court finds, based upon the facts set forth at the defendants' change of plea hearings, which formed the factual basis for the pleas, that the defendants had an interest in the property named in the Judgments and Preliminary Orders of Forfeiture that is subject to forfeiture, pursuant to 18 U.S.C. § 2253.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. All right, title, and interest of all persons, their heirs and assigns, in the property listed in the Judgments and Preliminary Orders of Forfeiture entered by this Court on February 16, 2023, and March 31, 2023, and described below, is hereby fully and finally forfeited to the United States of America, pursuant to 18 U.S.C. § 2253:

- a) **one (1) Apple iPhone XS, bearing International Mobile Equipment Number (IMEI) 357207096691969;**
- b) **one (1) Apple iPad Pro, model A1673, bearing serial number DLXR81Q7H1MK;**
- c) **one (1) Seagate 500 GB USB hard drive, bearing serial number NA03155M;**
- d) **four (4) CD/DVDs recovered from defendant Wolf's closet;**
- e) **one (1) OnePlus Nord N10 smart phone, bearing IMEI 990016800399022; and**
- f) **one (1) Pixel 3A smart phone, bearing IMEI 359221108305946.**

2. All right, title, and interest of all persons, their heirs and assigns, in the property described above, is hereby vested in the United States of America.

3. The government, or its designee, shall dispose of the subject assets listed in paragraph 1 of this Order in accordance with the law and the rules of this Court.

ORDERED this day _____ of _____, 2024.

BY THE COURT:

HONORABLE MARK A. KEARNEY
Judge, United States District Court

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**MOTION OF THE UNITED STATES FOR ENTRY OF
A FINAL ORDER OF FORFEITURE**

The United States of America, by and through its attorneys, Jacqueline C. Romero, United States Attorney for the Eastern District of Pennsylvania, Sarah L. Grieb, Assistant United States Attorney, Chief, Asset Recovery and Financial Litigation Unit, and Kelly Harrell, Assistant United States Attorney, respectfully requests entry of a Final Order of Forfeiture, and in support of this motion, the United States represents as follows:

1. The Court entered a Judgment and Preliminary Order of Forfeiture against Andrew Wolf on February 16, 2023, forfeiting to the United States the following property, pursuant to 18 U.S.C. § 2253:

- a) **one (1) Apple iPhone XS, bearing International Mobile Equipment Number (IMEI) 357207096691969;**
- b) **one (1) Apple iPad Pro, model A1673, bearing serial number DLXR81Q7H1MK;**
- c) **one (1) Seagate 500 GB USB hard drive, bearing serial number NA03155M; and**
- d) **four (4) CD/DVDs recovered from defendant Wolf's closet.**

2. The Court entered a Judgment and Preliminary Order of Forfeiture against Kray Strange on March 31, 2023, forfeiting to the United States the following property, pursuant to 18 U.S.C. § 2253:

- a) **one (1) OnePlus Nord N10 smart phone, bearing IMEI 990016800399022; and**
- b) **one (1) Pixel 3A smart phone, bearing IMEI 359221108305946.**

3. The government has complied with the notice provisions of 21 U.S.C. § 853(n). Specifically, the government gave general notice through publication on an official government internet site for 30 consecutive days commencing on April 1, 2023, and ending on April 30, 2023. *See* Exhibit A, attached.

4. The government determined that there are no individuals known to have alleged an interest in the property subject to forfeiture and who thus would have required direct written notice of the Judgments and Preliminary Orders of Forfeiture.

5. No third party has petitioned the Court for a hearing to adjudicate the validity of any alleged interest in the forfeited property, and the time for all third parties to file a petition has expired.

6. Based on defendants' guilty pleas, the government avers that the defendants had an interest in the property named in the Judgments and Preliminary Orders of Forfeiture that is subject to forfeiture pursuant to 18 U.S.C. § 2253.¹

¹ The preliminary order of forfeiture forfeits the defendant's interest in the property and is a conclusive final order as to the defendant's interest in the property. *United States v. Pelullo*, 178 F.3d 196, 202 (3d Cir. 1999); *see also* Fed.R.Crim.P. 32.2(b). The defendant generally has no standing to participate in the ancillary proceeding that takes place after the forfeiture order is entered at sentencing. *Id.*; *see also* Fed.R.Crim.P. 32.2(c); 21 U.S.C. § 853(n)(2) (providing that during ancillary process individuals other than the defendant may assert legal interests in property that has been ordered forfeited to the United States). "This lack of standing suggests that the defendant no longer has an interest in the property" after the entry of the preliminary order of forfeiture. *Pelullo*, 178 F.3d at 202.

For the reasons stated above, the government requests that this Court enter the attached Final Order of Forfeiture.

Respectfully submitted,

JACQUELINE C. ROMERO
United States Attorney

SARAH L. GRIEB
Assistant United States Attorney
Chief, Asset Recovery and Financial Litigation Unit

/s/ Kelly Harrell
KELLY HARRELL
Assistant United States Attorney

Date: July 18, 2024

Exhibit A

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UNITED STATES OF AMERICA

v.

**ANDREW WOLF
KRAY STRANGE**

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Criminal No. 22-35

DECLARATION OF PUBLICATION

In accordance with 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure, notice of the forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least thirty (30) consecutive days, beginning on April 1, 2023, and ending on April 30, 2023.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on July 17, 2024, in Philadelphia, PA.

/s/ Nathan D. Osberger
NATHAN D. OSBERGER
FSA Forfeiture Law Clerk – Contractor

CERTIFICATE OF SERVICE

The foregoing Motion for an Entry of a Final Order of Forfeiture, and proposed Order will be served electronically through the District Court Electronic Case System upon:

Arthur Donato, Jr., Esquire
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Counsel for defendant Andrew Wolf

Heather J. Mattes, Esquire
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Counsel for defendant Andrew Wolf

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Counsel for defendant Kray Strange

/s/ Kelly Harrell
KELLY HARRELL
Assistant United States Attorney

Date: July 18, 2024